

Message Text

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ACTION DHA-02

INFO OCT-01 AF-06 ISO-00 IO-11 DPW-01 AID-05 CIAE-00

DODE-00 PM-04 H-02 INR-07 L-03 NSAE-00 NSC-05 PA-01

PRS-01 SP-02 SS-15 USIA-06 EB-07 OMB-01 TRSE-00 AGR-05

IGA-02 /087 W

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R 130703Z MAR 76

FM AMEMBASSY KINSHASA

TO SECSTATE WASHDC 6963

C O N F I D E N T I A L KINSHASA 2213

E.O. 11652: GDS

TAGS: CG, SHUM, PFOR, PINS, PINT

SUBJECT: HUMAN RIGHTS IN ZAIRE

REF: A. KINSHASA A-28 (FEBRUARY 20, 1975);

B. LUBUMBASHI A-27 (MAY 15, 1975);

C. STATE 045319

1. AS REQUIRED BY INSTRUCTIONS IN REF C, THIS MESSAGE SUMMARIZES AIRGRAM A-41, BEING POUCHED TO WASHINGTON.

2. IN ZAIRE, THERE IS NO OFFICIAL DISCRIMINATION BASED ON ETHNIC GROUP OR REGION OF ORIGIN. THERE ARE CERTAIN ADMINISTRATIVE RESTRICTIONS ON RELIGIOUS GROUPS WHICH COULD BE VIEWED AS DISCRIMINATORY, BUT THEY DO NOT REPRESENT A SERIOUS THREAT TO FREEDOM OF WORSHIP.

3. THE COURT SYSTEM IS SOPHISTICATED AND THE RIGHT OF DEFENSE IN NON-POLITICAL CASES IS RECOGNIZED. ADMINISTRATIVE INEFFICIENCY OFTEN LEADS TO EXTENDED PERIODS OF DETENTION IN SUCH CASES, BUT THIS SHOULD NOT NECESSARILY BE VIEWED AS INTENTIONAL ON THE PART
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OF THE GOVERNMENT.

4. ZAIRE IS NO DEMOCRACY. IT HAS A STRONG PRESIDENTIAL TYPE OF GOVERNMENT, ESTABLISHED TO ENSURE THAT THE CHAOS OF THE EARLY SIXTIES DOES NOT REOCCUR. THE GOVERNMENT RESTRICTS FREEDOM OF POLITICAL EXPRESSION AND ASSOCIATION. INDIVIDUALS SUSPECTED OF STRONG OR OVERT POLITICAL DISSENT MAY BE SUBJECT TO ARREST BY AN ACTIVE SECRET SERVICE. IT IS REPORTED THAT THEIR CASES OFTEN DO NOT REACH THE COURTS OF LAW. WHILE THERE ARE RUMORS OF BRUTAL TREATMENT OF POLITICAL PRISONERS, THE EMBASSY HAS NO EVIDENCE SUPPORTING SUCH ALLEGATIONS. THE POPULATION OF ZAIRE SEEMS TO UNDERSTAND THE POLITICAL RESTRICTIONS AND RELATIVELY FEW RISK INCARCERATION.

5. THERE IS PROVISION IN THE CONSTITUTION OF ZAIRE, GRANTING THE PRESIDENT AUTHORITY TO PROCLAIM A STATE OF EMERGENCY UNDER SPECIAL CIRCUMSTANCES. AT SUCH TIME, LEGAL CONSTRAINTS ON THE ACTION OF THE PRESIDENT WOULD BE LACKING. THERE EXISTS PRESENTLY, HOWEVER, NO STATE OF EMERGENCY.

6. THE EMBASSY IS NOT IN POSSESSION OF ANY RELEVANT REPORTS ON HUMAN RIGHTS ISSUED BY INTERNATIONAL ORGANIZATIONS.

7. THE EMBASSY HAS ATTEMPTED WITHIN THE MEANS OF ITS LIMITED INFLUENCE TO ENCOURAGE THE PRESENT ADMINISTRATION TO SHOW GREATER CONCERN FOR HUMAN WELFARE. IN MARCH 1975, THE EMBASSY ADDRESSED A NOTE TO THE DEPARTMENT OF FOREIGN AFFAIRS, REMINDING THE GOVERNMENT OF ZAIRE OF THE CLAUSES IN THE AMERICAN SECURITY ASSISTANCE ACT REQUIRING THE PRESIDENT OF THE UNITED STATES TO CUT BACK ASSISTANCE TO ANY RECIPIENT COUNTRY FOUND TO BE IN SERIOUS VIOLATION OF THE INTERNATIONALLY RECOGNIZED RIGHTS OF MAN. MORE RECENTLY, AN EMBASSY OFFICER HAS APPROACHED A HIGH GOZ OFFICIAL TO RESTATE OUR CONCERN THAT THE HUMAN RIGHTS ISSUE BE UNDERSTOOD. IT SHOULD BE CLEAR TO THE GOVERNMENT OF ZAIRE THAT UNITED STATES SECURITY AND ECONOMIC ASSISTANCE IS LINKED TO A COUNTRY'S PERFORMANCE IN TERMS OF HUMAN RIGHTS.

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Message Attributes

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Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: ElyME
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Disposition Date: 28 MAY 2004
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Disposition Reason:
Disposition Remarks:
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Executive Order: GS
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Margaret P. Grafeld
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